IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 10554 of 2005

Between:

G. Tirupatirao, S/o. Subbarayudu, RTC.Quaters, D.No. 13-1-11/1, Narasaraopet, Guntur District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Guntru Region, Guntur District.
2 The Depot Manager, APSRTC, Narasaraopet Bus Depot, Guntur Dsitrict.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an order, direction of writ more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the proceedings No.02/95(46)/97-NRT, dt. 24.10.1997 as illegal arbitrary and unjust and consequently set side the proceedings No.02/95(46)/97-NRT, dt. 24.10.1997, issued by the 2nd respondent and direct the respondents to pay consequential benefits and pass such further other order or orders.

Counsel for the Petitioner: MR.PEETA RAMAN

Counsel for the Respondent Nos. 1 & 2: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court made the following :

ORDER:

The writ petition is filed questioning the imposition of punishment of deferment of two increments with cumulative effect, without conducting the departmental enquiry against the petitioner by the respondents.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

It is not in dispute that the punishment has been imposed on the petitioner without conducting any departmental enquiry. It is well settled that imposition of major punishment must be preceded by a regular departmental enquiry.

Having regard to the facts and circumstances of the case, the major punishment of deferment of annual increments for a period of two years with cumulative effect imposed by the 2nd respondent can be reduced with slight modification.

Therefore, the impugned order of punishment is modified as deferment of two annual increments without cumulative effect.

The writ petition is disposed of accordingly. No costs.

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29-04-2005

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Copy to

1 The Regional Manager, APSRTC, Guntru Region, Guntur District.
2 The Depot Manager, APSRTC, Narasaraopet Bus Depot, Guntur Dsitrict.

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